

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:21-cv-00585-FDW-DCK

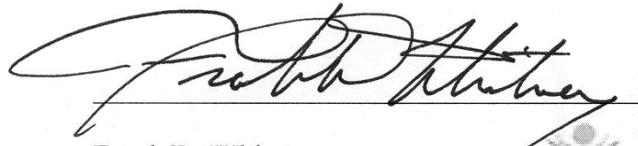
THIS MATTER is before the Court *sua sponte* concerning the status of this case. On March 14, 2022, Defendants filed a Notice of Settlement, (Doc. No. 14), indicating that plaintiff would be filing a Notice of Dismissal by April 4, 2022. Plaintiff, who appears pro se, submitted a Miscellaneous Filing on April 5, 2022, that appears to contain an email between Plaintiff and counsel for Defendants discussing the filing of a notice of dismissal and what appears to be a notice of dismissal signed by Plaintiff, (Doc. No. 15), albeit that page is not entirely viewable. The Court notes that Defendants have not yet filed an answer in this case; however, they have appeared and submitted a responsive pleading to the Complaint, (see Doc. Nos. 12,13). Accordingly, a Notice of Dismissal filed by Plaintiff pursuant to Fed. R. Civ. P. 41(a)(1)(A) would be appropriate here for Plaintiff to voluntarily dismiss this action without a court order.

In light of the record in this case, and after reviewing Defendants' Notice of Settlement and Plaintiff's April 5, 2022, filing, the Court hereby DIRECTS the Clerk of Court to construe Plaintiff's Miscellaneous Filing (Doc. No. 15) as a Notice of Dismissal pursuant to Fed. R. Civ. P.

41(a)(1)(A). Consequently, Plaintiff has voluntarily dismissed this action. The Clerk of Court is respectfully directed to terminate all pending motions and close the case.

IT IS SO ORDERED.

Signed: May 31, 2022



Frank D. Whitney
United States District Judge

